

## SERC Meeting

April 23, 2004

10:00 am

Rudy Raynes began the meeting at 10:09 am, a quorum was present, for those in attendance see attached roster. The minutes of February 10, 2004 were reviewed. Mr. Raynes asked for corrections, deletions or additions. *Mike Goff moved to approve the minutes. Dan McKinney seconded. Motion passed.*

### **Old Business :**

**DOJ Grants** - Mr. Raynes stated Region 4 (Lewis/Upshur area) have received their equipment and the only area which has not received equipment is Region 3 (Eastern Panhandle area).

**HMEP Grants** -Mr. Raynes notified the members present it is necessary to vote to allow Mr. Kappa to represent the SERC and apply for the 2005 HMEP Grant (US DOT). *Joe Wyatt moved to allow Mr. Kappa to represent the SERC. Giles Watson seconded. Motion passed*

**SERC Grants-** None distributed this month.

**Plan Reviews-** Paul Howard is continuing to review Pocahontas and Preston county plans.

**LEPC Membership Approvals** -Lists presented are Braxton, Hampshire, McDowell, Morgan, Pocahontas, Roane. All six meet minimum requirements. *Giles Watson moved to approve the LEPC lists as presented. Mike Goff seconded. Motion passed.*

**By-Laws** -Two by-laws have been presented, Mason and Nicholas. Mason county is a revision to conform to SERC required categories. Nicholas is a new submission and meets the required categories determined by the SERC. Cabell/Wayne has submitted a revision but due to clerical error was not able to be reviewed. *Dan McKinney moved to reaffirm Mason County by-laws as submitted. Giles Watson seconded. Motion approved. Joe Wyatt moved to approve Nicholas County by-laws as submitted. Mike Goff seconded. Motion passed.*

**Training Subcommittee** - RESA and WVU are expending funds, they continue to have some territory issues but expenditure of funds for the 2004 grant year shouldn't be a problem.

**SERC Conference** - A copy of the brochure was included in the packet today. Approximately 1300 brochures will be sent out. Fire Departments will not be targeted, fire department members of LEPCs should notify additional personnel and departments. Discussion of vendors, budget and participants. Brochures will be printed at a cost of \$87.00 instead of the usual \$2000.00. The brochure is in black/white and is not a tri-fold document saving the SERC considerable printing costs. Also a decision on whether to have the SERC/LEPC Conference in 2005 needs to be

made shortly. The hotel location and dates will need to be locked in soon if a conference is conducted.

**New Business** -David Partridge, the contractor the Tier Two web system has e-mailed the system should be up and running for testing shortly. This should significantly cut down on paperwork requirements for the 2005 reporting year.

Mr. Raynes reported the Tier Two fee legislation did not pass the legislative session this year. The legislation did not make it out of committee again this year, due to the lobbying efforts of the Oil and Gas industry.

Mr. Raynes reported a request by the WV Emergency Management Council to conduct the SERC board meeting during their conference will not be feasible. Mr. Raynes said the board appreciates the invitation but due to financial concerns is unable to comply. Mr. Marvin Hill (Randolph County) has requested funds for a public notification effort "Turn Around, Don't Drown" during flooding/high water. Unfortunately the SERC is unable to provide funding due to budget constraints.

IOGA has sent another letter requesting clarification and indicating their opposition to the Tier Two legislation is the unfair financial burden oil and gas facilities already have. It was suggested a response be tabled until everyone has a chance to re-read the previous correspondence and compose an appropriate response at the next meeting.

Mr. Raynes brought the budget issue to the Boards attention. Prior to 2001 a number of expenditures were paid by excess funds from EMPG. 2001 and later EMPG funding has been reduced and the additional staff at WVOES has eliminated any excess funds for the SERC. The SERC generally takes in approximately \$120,000 per year of those funds 60% is slated to go back to the LEPCS, approximately \$72,000. Of the remaining \$48,000 the SERC provides US DOT's match of \$35,000 for the HMEP Grants, one staff salary at \$27,000, fringe benefits \$7000, SERC conference \$25,000 and additional expenses such as printing, postage, board travel \$1400, meetings \$15,000 for a total of \$110,400 for a deficit of \$62,400.00. Until now the excess accumulated funds from prior years have off-set the funding shortage. At this time there are not excess funds in the SERC account. This will require adjustment in SERC activities, either grants will need to be reduced, the conference modified or discontinued etc. Dan McKinney asked if the SERC is limited to the Tier Two fees received and if additional funds could be obtained. HB 2862 and Title 55 do not address the question, Mr. McKinney suggested a committee be formed to provide ideas for funding. Shirley Lawson asked about Homeland Security funding and if any was available or possibly the private sector. Laverne said she did not know, this question had never come up before and was unsure of the legality or precedence. Mr. Watson suggested the sub-committee was a good idea and should be pursued. Laverne stated whatever was course was determined LEPCS should be notified soon so they can make alternative arrangements if necessary. A sub-committee was formed of Jim Riggs, Rudy Raynes, Giles Watson, Denny McGann, Dan McKinney, Laverne Stout and Herb Lattimore. The first meeting was scheduled for Monday May 10<sup>th</sup> at 9:00 am at the KPEPC office, in South Charleston. Mr. Raynes reminded everyone anyone was welcome to attend and if anyone had suggestions on what to do please let Laverne know as soon as possible.

*Giles Watson moved to adjourn, Joe Wyatt seconded, Motion passed. Meeting ended at 11:04. The next scheduled meeting will be June 15, 2004 at 10:00 am at the State EOC, Building 1 Room EB-80, Charleston, WV.*

**The SERC has scheduled meetings for next year for the convenience of participants:**

**NOTE: DUE TO FLOODING THE JUNE MEETING HAS BEEN RESCHEDULED TO JULY 8<sup>TH</sup>, AT 10:00 AM AT THE EOC.**

<b>August 3, 2004</b>	<b>4:00 pm</b>	<b>Embassy Suites, Charleston</b>
<b>October 12, 2004</b>	<b>10:00 am</b>	<b>State EOC</b>
<b>December 14, 2004</b>	<b>10:00 am</b>	<b>State EOC</b>